

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA            )  
  )  
v.                                        )           CR. NO. 2:05cr171-C  
  )  
CALVIN ARTIS STEWART, JR.         )

UNITED STATES OF AMERICA'S MOTION  
FOR A FINAL ORDER OF FORFEITURE

The United States of America (United States), by its undersigned counsel, respectfully submits its Motion for a Final Order of Forfeiture in the above-entitled case and states as follows:

On February 8, 2006, this Court entered a Preliminary Order of Forfeiture ordering defendant Calvin Artis Stewart, Jr. to forfeit to the United States:

One Taurus, Model Millennium, .40 Caliber  
Semi-Automatic Pistol, bearing serial number  
SVL11333.

Notice of this forfeiture and of the intent of the United States to dispose of the firearm in accordance with the law as specified in the Preliminary Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the firearm was published in the Montgomery Independent newspaper on June 15, 22 and 29, 2006.

No petitions of interest were filed within that thirty-day period. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States respectfully requests that this Court enter a Final Order of Forfeiture as proposed in the attached Order.

Respectfully submitted this 1<sup>st</sup> day of August, 2006.

FOR THE UNITED STATES ATTORNEY  
LEURA G. CANARY

/s/John T. Harmon

John T. Harmon  
Assistant United States Attorney  
Bar Number: 7068-II58J  
Office of the United States Attorney  
Middle District of Alabama  
One Court Square, Suite 201 (36104)  
Post Office Box 197  
Montgomery, Alabama 36101-0197  
Telephone: (334) 223-7280  
Facsimile: (334) 223-7560  
E-mail: [John.Harmon@usdoj.gov](mailto:John.Harmon@usdoj.gov)

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2006, I electronically filed the foregoing Motion for a Final Order of Forfeiture and Proposed Order with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Kent Brunson** and **John Reagan Walker**.

/s/John T. Harmon

John T. Harmon  
Assistant United States Attorney  
Office of the United States Attorney  
Middle District of Alabama  
One Court Square, Suite 201 (36104)  
Post Office Box 197  
Montgomery, Alabama 36101-0197  
Telephone: (334) 223-7280  
Facsimile: (334) 223-7560  
E-mail: [John.Harmon@usdoj.gov](mailto:John.Harmon@usdoj.gov)  
Bar Number: 7068-II58J